



## **TOWN OF CLINTON**

INCORPORATED APRIL 5, 1865

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### **Land Use Board Minutes**

Minutes of the Town of Clinton Land Use Board meeting held on October 13, 2020 at 7:00pm.  
The Meeting of the Town of Clinton Land Use Board has changed the format of its regular meetings for the duration of the COVID-19 Public Health Emergency to “Virtual” Meetings via ‘Zoom’.

Chairman Sailer called the meeting to order at 7:00pm and read the “Statement of Adequate Notice” and the “Administrative Statement”.

Adequate notice of this meeting has been provided indicating the time and place of the meeting with the proposed agenda, which notice was posted, made available to the newspapers and filed with the clerk of the Town of Clinton in accordance with Section 3(d) of the Public Laws of 1975”.

N.J.S.A. 10:4-8 (b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms.

The Town of Clinton is using ZOOM Video Meetings. Please be aware that this meeting is being recorded for the public record. ZOOM meetings are imperfect, so if glitches pop-up, please be patient. We will open the meeting to the public during public comment time, each person will have the opportunity to ask questions and give comments at the appropriate time. If you would like to speak, please use the raise hand feature and I will call on you one at a time you must provide you name and address to be recognized for comment. We ask that you keep your device muted until called upon by the Chairman.

Attorney Katie Razin, Mr. Robert Clerico, Mr. Jim Kyle, and Mr. Michael Margulies were present

#### **ROLL CALL:**

**Present:** Mr. Sailer, Mayor Kovach, Ms. Healy, Mr. Lubsen, Mr. Smith, Mr. Snider,  
Ms. Van Weeren, Mr. Viotto

**Absent:** Mr. Feldmann, Ms. Dineen

#### **Approval of Minutes:**

A motion was made by Mr. Viotto, seconded by Mayor Kovach, to approve the October 6, 2020 minutes

**All Ayes. Motion Carried**

#### **Continuation of Application for Preliminary & Final Site Plan Application – Block 21 Lots 29, 30.01, 31, 32 & 33- Old 22 Urban Renewal Associates LLC- (A&P Redevelopment site):**

Attorney Kate Coffey from Day Pitney, Mr. Brett Skapinetz, Engineer from Dynamic Engineering, Mr. Craig Peregoy, Traffic Engineer from Dynamic Traffic, Mr. Haley Donovan, Architect from Haley Donovan and applicant Geoff Long from Ingerman were present and sworn in.

The following items were pre-marked:

A23 Alternate Driveway A

A24 Alternate Driveway B

- A25 Alternate Driveway C
- A26 Updated Architectural Plan prepared by Haley Donovan dated 10-7-2020
- P1 Aerial map Pedestrian Vehicular observation submitted by Richard Parkopcyk.
- P2 Colored site photographs (4 pages) submitted by Richard Parkopcyk.
- P3 Planting plan review comments dated 10-12-2020 submitted by Richard Parkopcyk.
- P4 Site plan Sketch dated 10-12-2020 prepared by Richard Parkopcyk.

Attorney Coffey reminded the board she is returning tonight on behalf Old 22 Urban Renewal Associates LLC to receive Preliminary and Final Site Plan approval, variance approval to permit the second ground sign, a variance for the internal illumination, and a de Minimis exception from the RSIS standards to have onsite parking at 180 spaces. Attorney Coffey gave the board a brief update on the pool, the pool will be open seasonally eight hours a day, the pool will be fenced, the pool will have safety lights, there will be no lifeguard will be on duty and no amplified music will be available, the pool will meet ordinance and code standards.

Mr. Skapinetz, PE from Dynamic Engineering who was previously sworn in went over exhibits A23, A24, A25 which reflect alternate driveway layouts. Mr. Skapinetz stated he wanted to provide a couple of options in case DOT does not approve the preferred plan which is option A23 in where they converted the emergency access on the westerly side to a second driveway. Mr. Skapinetz advised the board they met with the fire department to go over the option and alternate driveway A would be their preferred option.

Mr. Kyle questioned if the impervious coverage calculation would change with the alternate driveway layouts, Mr. Skapinetz testified it would not trigger any additional impervious coverage.

Mr. Clerico questioned the island in alternate layout C (exhibit A25), Mr. Skapinetz confirmed it would be a mountable island. Mr. Jeff Hedden, Fire Chief was sworn in and stated he does not support the mountable curb and would prefer open access. Mr. Daniels added the swing of the fire apparatus is difficult with a mountable curb and if DOT permits it we would prefer no island. Mr. Skapinetz responded that he would have no problem moving the island and for tonights purpose if Mr. Clerico would accept a striped island in lieu of the mountable island. This would deviate from the design standards, but in doing so would satisfy the fire departments concerns. Attorney Coffey stated we would modify our request if we have to go with that option in the event DOT does allow us to use striping we would ask the board for a de Minimis exception from the RSIS.

Mr. Clerico questioned if things had changed on the plan with the latest revision, Mr. Skapinetz testified they had to relocate the trash enclosure, the loading area was added, the area by the trash enclosure lost a parking space and was relocated to the east corner and a stop bar was added. Mr. Clerico voiced some concerns with the fourth space next to the stop bar, Mr. Skapinetz stated the space can be relocated to the northeast corner.

Ms. Healy inquired about the connection of the walkways, Mr. Skapinetz replied that it has not been added on the plan but it will be added to the westerly side of the site and can also be added to the east side, striping will also be added in the travel way, ADA ramps will also be included and internal site signs.

Mr. Skapinetz advised the board they met with the Fire Department and we are clear on all the points. The fire protection system will be a 13R system for the residents and a 13 system for the commercial areas which is required by code; alternate driveway A is the preferred plan; the water system extension will be upgraded to a 12" main from new street to the site frontage. The applicant and the Town of Clinton Water Engineer are working on the town's plan and if a fire hydrant is needed we will work with Mr. Daniels and Suburban Consulting Engineering to come up with an appropriate design. Mr. Skapinetz stated we will agree to the remainder of the comments in Mr. Daniels' report dated October 4, 2020.

Mr. Skapinetz stated there were a few exhibits sent in by the public, we looked at the suggestions regarding planting and lighting conflicts we will work with Mr. Kyle to address any conflicts.

Mr. Michael Donovan Architect from Haley Donovan was previously sworn in and Mr. Michael Margulies the Board's Architect was sworn in.

Mr. Donovan advised the board the plan has had a lot of different versions, they have met with the historic commission, the town, members of the public the design has been a joint effort. Mr. Donovan went through the following exhibits:

A20- Site Plan- the building design was coordinated with Dynamic Engineering the building layout worked in conjunction with the site, the building is up front, parking is in the rear, retail is up front and the site is pedestrian friendly.

A26- Floor plan elevations- The design respects the historic nature of the town, the interior has a 2 story lobby which is accessible from the front and back of the building. The retail space has 12 foot high ceilings and the residential space has 9 foot high ceilings. There will be public space for the community on the first floor, which consist of a lounge, game room, a package and mail center, a manager's suite and access to a covered patio and pool. The second floor will have railings that look into the open lobby area and the building will have elevators.

Mr. Donovan went over the square footage on the apartments, 65 one bedroom averaging 760 square feet; 52 two bedroom averaging 1,100 square feet; 5 three bedroom averaging 1,071 square feet, the twenty four affordable units will be adaptable with six fully ADA compliant apartments. A typical unit will have a large open plan, solid surface countertops, laundry in the unit, controlled air conditioning and heat, cleanable floors with little carpet areas. The second and third floor are similar to each other and the fourth floor rooms are set back into the roof 10 feet. The exterior will have a stone luxury look, masonry areas, paneled siding, and architectural shingles. They are using green initiatives on the design, the exterior walls will be 2 x 6 with an R-21 insulation value. The lighting around the pool will be low lighting and will not be a distraction to the neighbors. The trash enclosure will be in a masonry enclosure, and the condensing units will be located on the roof. The building will have two elevators and access to the building will be from the front and rear of the building, the side of the building is for trash removal and emergency access only.

The board opened the meeting to the Public for Questions:

Mr. Jeff Berg, 102 Center Street, questioned the emergency access in the northwest corner how they would discourage traffic from using this access, and if the town would require an additional well. Mr. Skapinetz replied the emergency access will have bollards, a locked chain going across and access will be controlled by the emergency services, this area will not allow for thru traffic. The water line is being upgraded to a 12" line to provide adequate water service.

Mr. Richard Prakopcyk, 460 Bellwood Avenue Asbury NJ was sworn in. Mr. Prakopcyk send the board four marked up documents that were uploaded to the website. Mr. Parkopcyk stated he grew up in town, comes into town frequently and he is a member of the church in town. Mr. Prakopcyk stated he wanted to let the board know he is in support of the application but he just wanted to be sure it is the best it can be. Mr. Prakopcyk had the following questions; how to address safe pedestrian access, site lighting, retail viability, and if the traffic count took into account the external patrons that would use the retail space. Mayor Kovach advised Mr. Parkopcyk that the Town of Clinton road committee is working on a pedestrian safety project with Go Hunterdon they are looking at how to connect the new community. We are in the process of compiling inventory and looking at how to address children walking along route 173 up to New Street. The project will include working with DOT and private property owners, this is a project the road committee is taking on. Attorney Coffey commented on the use of the retail which will be open to the residents and public. Mayor Kovach also indicated when this was a full functioning A&P we had no major traffic issues.

There being no further questions the board closed the meeting for questions and opened the meeting for comments.

Mr. Prakopcyk, Asbury New Jersey advised the board he marked up a couple of plans that were entered in the record as exhibits P1-P4. Exhibit P3 looks at the plantings and he feels there is some conflict with the proposed shade trees, lighting, the location of the shade trees on top of storm water basin, soil volumes and the selection of the species. Mr. Prakopcyk does not feel the site gives adequate soil volumes and recommends the applicant address the areas he marked up in red dots. Site plan concerns in exhibit P4 are in regard to site functionality and the urban design, he feels the marked up exhibit P4 is a slight improvement to the plan.

Mr. Jeff Berg, 102 Center Street, was sworn in and had the following comments: the back of the adjoining residential homes are a high traffic area for deer and would like to see choice appropriate plantings, the lighting on the second and third floors in the rear of the building he would like to see lighting that is shielded, the northwest corner has a retaining wall and inquired if there was any consideration to install fencing, he has concerns with children using the wall to jump off of. Mr. Skapinetz responded we have not gotten into the details on the fall protection we could suggest a four foot high fence it is just a matter of picking the type of fence and the exact height. Mr. Long added they will put some type of fencing on the wall, my thought is when we get closer to the project we will work with the Center Street residents along with the way and Mr. Long encouraged Mr. Berg to participate in the process.

Mr. Kyle commented on the landscaping concerns and stated his office has a landscape architect on staff and stated they will work with Mr. Long and the neighbors post approval to make sure all items are addressed.

Mr. Daniels would like to see consideration be made to upgrade the sprinkler system from the code compliant system that is being proposed, Mr. Long stated he would work with the fire department as we go thru the building permit process, we will make the system the best we can.

There being no further comments the meeting was closed to the public.

Mayor Kovach stated the town has been working on the redevelopment project for over 2 years, it has been a labor of love. The developer has taken so much of the town and the residents' concerns into account, this will be the largest project the town has seen in 30 years. My goal was to make sure everyone was heard, we worked in partnership with the professionals over multiple meetings Geoff has made an effort to be part of the community and she thanked everyone who was part of the process.

Mr. Smith commented the town has to grow, this developer followed our interest and everyone should be proud.

Chairman Sailer thanked everyone he stated Mr. Long did a fantastic job putting everything together his team was very capable.

Attorney Razin recapped the application, the applicant is looking for Preliminary and Final Site Plan approval, Variance for the second ground sign and the sign illumination, de Minimis exception from the RSIS for parking and aisle design. The conditions of the approval are as follows: the pool will comply with code; the details of the pool will be provided prior to construction; one of the three alternate driveways will be used once DOT approvals has been given; applicant will comply with the fire departments recommendations and the board professionals; applicant will work with the Fire Marshal on design; a strip bar will be added; the 4<sup>th</sup> space will be relocated; applicant will work with Mr. Kyle and the neighbors on the final landscape design.

A Motion was made by Mr. Viotto, seconded by Mr. Smith, to approve the Preliminary and Final Site plan with the Sign Variance and agreed upon conditions:

**Roll Call Vote:**

Ayes:

Mr. Sailer, Mayor Kovach, Ms. Healy, Mr. Lubsen, Mr. Smith, Mr. Snider, Ms. Van Weeren, Mr. Viotto

Nays:

**All Ayes.**

**Motion Passed**

Attorney Coffey thanked the board the resolution will be placed on the November 3, 2020 agenda.

Mr. Long stated this was a productive land use board process, we now have a better application because of the Town's efforts, we all worked together to make this the best project possible we look forward to breaking ground and the ribbon cutting.

**Board Discussion:**

Mayor Kovach thanked the board. Donna VanWeeren stated it was good to be connected with the Historic Commission on this project. Chairman Sailer felt this was good for the Town, Mayor Kovach advised the board that the town is in the process of hiring Richard Reading who is an expert in pilot programs, she will keep the board informed.

Ms. Healy stated the biggest concern from the Environmental Commission is the walkability issue and inquired how the plans are going to be presented to the community. Mayor Kovach stated the road committee will create an inventory to be presented to DOT. We will partner with DOT and Go Hunterdon we are also looking for residents to get involved to give us some initial inventory and questions. Ms. Healy suggested we put the information up on the website, the more we communicate the more people will rally around.

**Voucher approval:**

A Motion was made by Mr. Viotto, seconded by Ms. Healy, to approve the vouchers:

**All Ayes. Motion passed.**

There being no further business a Motion was made by Mr. Viotto, seconded by Mr. Smith to adjourn at 9:05pm

Respectfully submitted,

Allison Witt  
Land Use Board Administrator